

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JOSE BRITO,

Plaintiff,

-against-

ORDER
19 CV 828 (KAM) (CLP)

MARINA'S BAKERY CORP., et al.,

Defendants.

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POLLAK, Chief United States Magistrate Judge:

On June 1, 2020, this Court Ordered Hugh Jasne, Esq., defendants' counsel, to submit a letter regarding the issues raised during the May 27, 2020 telephone conference related to his request to withdraw from representation of defendants. The Court's Order, ECF No. 33, granted defendants until August 12, 2020 to obtain new counsel. To date, no new counsel appears to have been hired by defendants. As the parties were recently reminded, the corporate defendant, Marina's Bakery Corp., cannot proceed without counsel. It is well settled in this Circuit that "a corporation [] cannot proceed pro se in federal court." Trustees of Empire State Carpenters Annuity, Apprenticeship, Labor-Mgmt. Cooperation, Pension & Welfare Funds v. Tri-State Acoustics Corp., No. 13 CV 05558, 2014 WL 4537481, at *5 (E.D.N.Y. Sept. 11, 2014); see also Shapiro, Bernstein & Co. v. Cont'l Record Co., 386 F.2d 426, 427 (2d Cir. 1967) (per curiam).

Defendants are hereby ORDERED to Show Cause why the Court should deny counsel's motion to withdraw or recommend that a default enter based on defendants' failure to obtain counsel by September 14, 2020.

The Clerk is directed to send copies of this Order to the parties either electronically through the Electronic Case Filing (ECF) system or by mail.

SO ORDERED.

Dated: Brooklyn, New York
August 17, 2020

/s/ Cheryl L. Pollak

Cheryl L. Pollak

Chief United States Magistrate Judge
Eastern District of New York